



# 101<sup>st</sup> Airborne Division Claims Office

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## HOUSEHOLD GOODS/UNACCOMPANIED BAGGAGE INSTRUCTIONS FOR FILING A CLAIM FOR LOSS/DAMAGE INCIDENTAL TO SHIPMENT (ARMY REGULATION, 27-20, CHAPTER 11)

We are sorry you sustained damage and/or loss in your recent move. The mission of the Claims Office is to assist you in filing your claim and to settle your claim fairly and without undue delay. We will then try to make the carrier pay the Army for the damage and/or loss it caused. In order for us to do this, it is important that you read and follow these instructions carefully. Do not allow the limitation periods to expire. If you have any questions on completing your claim, please call the claims office at 798-5011/6428. If you wish to submit a claim, please walk in during our normal duty hours (Mon-Wed & Fri 0900-1600 and Thur 1300-1600).

### There are two different time limitations which affect your claim:

1. **70-Day Rule**. Within 70 calendar days (including weekends and holidays) of the date of delivery, you must provide our office with a completed DD Form 1840/1840R (**THE PINK FORM**) listing all your missing and damaged items. This form does not constitute your claim, but rather, notification to the carrier of loss or damage noticed after the delivery date. With it, we notify the carrier of your damage so that we may later recover amounts paid to you. If you fail to submit this form within the 70-day time frame, we will not guarantee payment for the lost or damaged items that we could have recovered from the carrier. If you submit a completed DD Form 1840/1840R and afterward discover additional damages or losses, you may submit a supplemental form so long as you are within your 70-day deadline. Additional supplemental DD Form 1840/1840R's may be picked up at the Claims Office.

2. **TWO (2) Year Rule**. Within two (2) years (including weekends and holidays) of the date of delivery, you must submit your actual claim to our office in writing. You should do this by completing the DD Form 1842 and DD Form 1844 (Forms may be obtained from the Claims Office or the Intranet at : <http://www.campbell.army.mil/OSJA/InfoPapersList.htm> or [http://fcintranet.campbell.army.mil/ftcky2/Claims/sja\\_clHHGinst.htm](http://fcintranet.campbell.army.mil/ftcky2/Claims/sja_clHHGinst.htm)) and include all other necessary claims documentation. The two-year requirement is established by law and **cannot be waived; therefore, we cannot pay claims received after two years.**

**NOTE:** Additional loss or damage found after you turned in your DD Form 1840R (Pink Form) can be reported to the Claims Office by submitting your copy of the DD Form 1840/1840R and your pick-up inventory to the Claims Office within the required reporting period 70 calendar days from the date of delivery.

**Who may present a claim?**

A claim may be presented and signed (completed in ink or typed) by the owner of the property shipped incident to his/her military service or employment (i.e., active Army, civilian employee of the DA or DoD) or in his/her name by duly authorized agent or legal representative, who must present a valid Power of Attorney.

Subrogees, assignees, conditional vendors, Red Cross employees, United Services Organization Personnel, or employees of Government Contractors are not proper party claimants, and their claims are barred.

### **Private Insurance?**

If your loss or damage is covered by private insurance, you **must** file and settle your claim with your insurer before filing with the Claims Office. Check your policy for the time prescribed for filing. When you present your claim, you must submit copies of the following: (1) your insurance policy; (2) your demand against your insurer; and (3) the insurance settlement (if you have renter's, home owner's, or personal affects floater policy insurance). **Failure to do so may result in a reduction of the amounts otherwise allowable or in a denial of your claim.**

### **Do not dispose of any damaged/destroyed property.**

The Claims Office, the Transportation Office (Quality Control), and the carrier may need to inspect the damaged property. The carrier has a right to inspect the damage within 60 days from the date of delivery or within 60 days of the date damage was reported to the Claims Office on DD Form 1840R (pink form). The Claims Office or Transportation Office may need to inspect the damaged items at any time before your claim is settled. If the depreciated value of a damaged item is allowed, ownership of that property passes to the Government. Accordingly, you may be required by the Claims Office to turn in the damaged property to the Defense Reutilization & Marketing Office (DRMO). The necessary documents for turn in will be furnished to you by the Claims Office before payment of your claim. If you choose to retain the items, the salvage value will be deducted from your claim. It is therefore required that you keep all the damaged items in the same condition as you received them until the carrier's right to inspect them has expired and your claim has been settled (whichever comes last). Failure to comply may result in a reduction of your claim (or recoupment if your claim was settled and carrier recovery is lost because of disposal before the carrier had the opportunity to inspect). If you wish to get the items repaired prior to payment of your claim, then pictures of the items prior to the repairs will be sufficient.

### **Reconsideration:**

If you provide us with the necessary documentation, we will fairly and promptly adjudicate your claim. However, if you disagree with the adjudication of your claim, or if you wish to make a supplemental claim for any loss, damage, or incidental expenses (for example, estimate fees, drayage, or sales tax, etc.) that were not previously claimed, you may request reconsideration. Under the provisions of Army Regulation 27-20, paragraph 11-20, you have **60 days from the date of settlement or disapproval of your claim to request reconsideration**. Your request for reconsideration must be in **writing and addressed to the Claims Office**. Make sure you clearly state your factual or legal basis for relief, and attach any additional evidence you want considered. To avoid delays in processing, please notify the Claims Office within **ten (10) days** if you intend to request reconsideration. If you do not inform us of your intent to request reconsideration within **10 days**, your claim will be forwarded for record retirement and it will take us some time to retrieve the file.

